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PTO/SB/30 (5/2000)  
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0651-0031

RCE/1700  
#9/113  
211/3

**Request  
for  
Continued Examination (RCE)  
Transmittal**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application filed on or  
after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/681,405
Filing Date	3/30/01
First Named Inventor	James S. Vartuli et al.
Group Art Unit	1754
Examiner Name	Steven J. Bos
Attorney Docket Number	RD-28,060

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 12/12/02  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Preliminary Amendment

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months: Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-0868.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 02/06/2003 EAREGAY1 00000014 070868 09681405
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1801 750.00 CN
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Toan P. Vo	Registration No. (Attorney/Agent)	43225
Signature	<u>Toan P. Vo</u>	Date	<u>January 28, 2003</u>

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
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Name (Print/Type)	<u>Rita M. Lynch</u>	Date	<u>1/29/03</u>
Signature	<u>Rita M. Lynch</u>		

S.N. 09/681,405



RD-28,060

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

JAMES S. VARTULI et al.

Serial No. 09/681,405

Filed: March 30, 2001

For: INORGANIC ACICULAR BODIES AND  
METHOD FOR PRODUCING THE SAME

: Group Art Unit: 1754

: Examiner: STEVEN J. BOS

: Response to Paper No. 8

**PRELIMINARY AMENDMENT**

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS,  
WASHINGTON, D.C. 20231

Sir:

Please amend the above-identified application as follows:

**In the Claims:**

Please amend claims 5 and 32 to read as follows:

5. (Three times amended) An acicular body comprising at least one oxide of at least one metal selected from the group consisting of Groups IIA, IIIA, IIIB, rare earth metals, and mixtures thereof; said acicular body having a polygonal cross section and a cross-sectional dimension greater than about 1  $\mu\text{m}$ .